

## **REMARKS**

### **Request for Reconsideration**

The Applicants have carefully considered the matters raised by Examiner in the outstanding Office Action, but remain of the position that patentable subject matter is present. The Applicants respectfully request reconsideration of Examiner's position based on the amendments to the claims, the amended drawings and the following remarks.

### **Claim Status**

Claims 7-12 and 15 are pending while claims 1-6, 13, 14 and 16 have been canceled.

Claims 7-12 and 15 had been indicated as allowable if amended to overcome the 35 U.S.C. § 112 rejection. These claims have been amended to address the 35 U.S.C. § 112 rejection. Thus, it is submitted that the case is in condition for allowance.

### **Drawing Objections**

The drawings had been objected to for failing to show the subject matter of claim 9, namely that the recesses 2f are open radially to the outside. To address this objection a Figure 2c has been added. Figure 2c is identical to Figure 2 except that recesses 2f are shown as open radially to the outside. Figure 2 illustrated recesses 2f as holes 16. The specification has also been amended to add a description for Figure 2c and reference character 17 to identify the recess open radially to the outside. Respectfully, no new matter has been added, since such open recesses are deemed conventional.

The drawings had been further objected to because they fail to show the groove 2k as annular as described in the specification.

Figure 1 has been amended herein to show groove 2k as annular as described in the specification. Figure 2 correctly shows annular groove 2k. Thus, the figures are now consistent with each other and with the specification.

#### Claim Rejections – 35 U.S.C. § 112

Claims 1-16 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctively claim the subject matter which applicant regards as the invention.

The limitation of “a raceway for the rolling bodies is formed at least partially on scalloped section” in claims 1, 7 and 15 was deemed indefinite.

Claim 1 has been canceled and all references to “scalloped sections” in claims 7 and 15 have been removed.

Also, with respect to claim 7, the limitation “the fastening element is prestressed axially fixed against the flange with a head the fastening element being fixed to the wheel carrier” was deemed indefinite.

The phrase has been clarified and corrected to reflect the language found in the Specification on page 14, first paragraph.

Finally, claim 13 had been rejected under 35 U.S.C. § 112, second paragraph.

Claim 13 has been canceled.

#### Claim Rejections – 35 U.S.C. § 102

Claims 1-6, 13, 14, and 16 had been rejected under 35 U.S.C. § 102(b) as being anticipated by Griseri *et al.* (U.S. Patent Application 2002/0015545).

Claims 1-6, 13, 14 and 16 have been canceled and, thus, the rejection is moot.

#### Allowable Subject Matter

Claim 7-12 and 15 have been indicated as allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. § 112, second paragraph set forth in this Office Action.

The Applicants acknowledge and greatly appreciate the Examiner's indication of allowance pending correction of claims 7-12 and 15.

As discussed above, claims 7 and 15 have been amended to correct rejections based upon 35 U.S.C. § 112, second paragraph. Thus, respectfully, claims 7-12 and 15 are allowable.

#### Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and such action is respectfully requested. Should any extensions of time or fees be necessary in order to maintain this Application in pending condition,

appropriate requests are hereby made and authorization is given to debit Account Number 02-2275.

Respectfully submitted,

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